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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Richard Wayne Thompson,  
Plaintiff,

v.

Melissa J. Collier,  
Defendant.

No. CV-22-00001-PHX-DJH (MTM)  
**ORDER**

On January 3, 2022, Plaintiff Richard Wayne Thompson, who is not in custody, filed a pro se civil rights Complaint (Doc. 1), and an Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2). The Court will dismiss this action.

**I. Vexatious Litigant Order**

Plaintiff is a frequent litigant,<sup>1</sup> and has had a vexatious litigant order entered against him by this Court. (*See* Doc. 7 in CV 20-01755-PHX-DJH (MTM) (Nov. 19, 2020)). Pursuant to that Order, certain restrictions have been placed on Plaintiff's ability to file in this Court. Most importantly, before filing a complaint, Plaintiff must obtain leave of this Court to do so. Specifically, Plaintiff must file a Motion for Leave to File that conforms to the following provisions:

(1) If Richard Wayne Thompson attempts to file any new action in this Court after [November 19, 2020], he must include therewith a "Motion for Leave to File" and attach to it the

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<sup>1</sup> Plaintiff has filed at least 59 cases in this Court since 2018, and at least 24 appeals to the Ninth Circuit since 2020.

1 complaint he wishes to file. In the “Motion for Leave to File,”  
2 Plaintiff must:

3 (A) in the FIRST SENTENCE, request leave to file the  
4 new action; and,

5 (B) in the SECOND SENTENCE, state the number of  
6 individual claims he wishes to bring. For EACH  
7 CLAIM, Plaintiff must then, in ONE SENTENCE PER  
8 CLAIM, describe the harm he has suffered, or may  
9 suffer, and by whom such harm was, or may be,  
10 inflicted. For example, if Plaintiff intends to bring five  
11 claims, he may use one sentence for each of those  
12 claims, for a total of five sentences.

13 (2) If Plaintiff does not include a “Motion for Leave to File”  
14 with any new action he submits, the Court will not consider the  
15 filing, and the action will be summarily dismissed for failure  
16 to comply with this Order.

17 (3) If the “Motion for Leave to File” does not comply with the  
18 above requirements, the Court will read no further, the “Motion  
19 for Leave to File” will be denied, and the case will be  
20 summarily dismissed for failure to comply with this Order.

21 (4) If the Court cannot determine from the “Motion for Leave  
22 to File” what harm Plaintiff claims to have suffered and how  
23 the defendant(s) allegedly committed the harm, the Court will  
24 read no further, the “Motion for Leave to File” will be denied,  
25 and the case will be dismissed for failure to comply with this  
26 Order.

27 (CV 20-01755-PHX-DJH (MTM), Doc. 7 at 5-6).

28 Plaintiff has not filed a Motion for Leave to File, but has instead simply written  
“Motion for Leave to File” on each page of his Complaint. This fails to comply with the  
vexatious litigant order entered against him, and this action will thus be dismissed.

**IT IS ORDERED:**


(1) Plaintiff’s Application to Proceed in District Court Without Prepaying Fees  
or Costs (Doc. 2) is **denied** as moot.

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1           (2)     This action is **dismissed without prejudice**. The Clerk of Court must enter  
2 judgment and close this case.

3           Dated this 10th day of January, 2022.

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7 Honorable Diane J. Humetewa  
8 United States District Judge  
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